

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CRIMINAL MINUTES - SENTENCING AND JUDGMENT**

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( Amended )

Case No. EDCR 03-84 (A) VAP Date January 17, 2006

Present: The Honorable <u>VIRGINIA A. PHILLIPS</u>	Phyllis Preston <i>Court Reporter/Recorder, Tape No.</i>	Timothy Searight, Christopher Brunwin <i>Assistant U.S. Attorney</i>
<u>Rachel Ingram</u> <i>Deputy Clerk</i>		

Defendant	Counsel for Defendant	Retd. DFPD Panel	Interpreter
<u>GEORGE WILLIAMS</u>	<u>Darlene Ricker</u>	*	<u>N/A</u>

**PROCEEDINGS: SENTENCING AND JUDGMENT**

Refer to Judgment and Probation/Commitment Order; signed copy attached hereto. See below for sentence.

Imprisonment for years/months on each of counts \_\_\_\_\_

Count(s) concurrent/consecutive to count(s) \_\_\_\_\_

Fine of \$ is imposed on each of count(s) concurrent/consecutive.

Execution/Imposition of sentence as to imprisonment only suspended on count(s) \_\_\_\_\_

Confined in jail-type institution for \_\_\_\_\_ to be served on consecutive days/weekends commencing \_\_\_\_\_

years/months Supervised Release/Probation imposed on count(s) \_\_\_\_\_

consecutive/concurrent to count(s) \_\_\_\_\_

under the usual terms & conditions (see back of Judgment/Commitment Order) and the following additional terms and conditions, under the direction of the Probation Office:

Perform \_\_\_\_\_ hours of community service.

Serve \_\_\_\_\_ in a CCC/CTC.

Pay \$ fine amounts & times determined by P/O.

Make \$ restitution in amounts & times determined by P/O.

Participate in a program for treatment of narcotic/alcohol addiction.

Pay any fine imposed by this sentence & that remains unpaid at commencement of community supervision. Comply with rules/regulations of BICE, if deported not return to U.S.A. illegally and upon any reentry during period of supervision report to the nearest P/O within 72 hours.

Other conditions: \_\_\_\_\_

Pursuant to Section 5E1.2(e), all fines are waived, including costs of imprisonment & supervision. The Court finds the defendant does not have the ability to pay.

Pay \$ per count, special assessment to the United States for a total of \$

Imprisonment for months/years and for a study pursuant to 18 USC \_\_\_\_\_

with results to be furnished to the Court within days/months whereupon the sentence shall be subject to modification. This matter is set for further hearing on \_\_\_\_\_

Government's motion, all remaining count(s)/underlying indictment/information, ordered dismissed.

Defendant informed of right to appeal.

ORDER sentencing transcript for Sentencing Commission.  Processed statement of reasons.

Bond exonerated \_\_\_\_\_ upon surrender \_\_\_\_\_ upon service of \_\_\_\_\_

Execution of sentence is stayed until 12 noon, \_\_\_\_\_ at which time the defendant shall surrender to the designated facility of the Bureau of Prisons, or, if no designation made, to the U.S. Marshal.

Defendant ordered remanded to/released from custody of U.S. Marshal forthwith.

Issued Remand/Release # \_\_\_\_\_

Present bond to continue as bond on appeal. \_\_\_\_\_ Appeal bond set at \$ \_\_\_\_\_

Filed and distributed judgment. Issd JS-3. ENTERED.

Other \_\_\_\_\_

ENTERED ON CMS  
JAN 20 2006  
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cc:

143

**United States District Court  
Central District of California**

UNITED STATES OF AMERICA vs.

Docket No. **EDCR 03-84 (A) VAP**Defendant **GEORGE WILLIAMS**Williams, Jimmy; June, George; Wilson, George;  
akas: **Williams, James**Social Security No. **5 5 2 0**

(Last 4 digits)

**JUDGMENT AND PROBATION/COMMITMENT ORDER**

MONTH	DAY	YEAR
<u><b>01</b></u>	<u><b>17</b></u>	<u><b>2006</b></u>

In the presence of the attorney for the government, the defendant appeared in person on this date.

**COUNSEL** WITH COUNSEL

Darlene Ricker

(Name of Counsel)

**PLEA** GUILTY, and the court being satisfied that there is a factual basis for the plea.  NOLO CONTENDERE NOT GUILTY**FINDING**There being a finding/verdict of  GUILTY, defendant has been convicted as charged of the offense(s) of: (Count 1) Conspiracy to Manufacture, to Aid and Abet the Manufacture of and to Possess with Intent to Distribute PCP (21 U.S.C. §846, 841 (a)(1), 841(b)(1)(A)); Life imprisonment and/or \$8,000,000 with 10 year mandatory minimum.**JUDGMENT  
AND PROB/  
COMM  
ORDER**

The Court asked whether defendant had anything to say why judgment should not be pronounced and the defendant addressed the Court. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that:

**SPECIAL  
ASSESSMENT**

The defendant shall pay to the United States a special assessment of \$100, which is due immediately.

**FINE**

Pursuant to U.S.S.G. § 5E1.2(e) of the Guidelines, all fines are waived as it is found that the defendant does not have the ability to pay a fine.

Pursuant to the Sentencing Reform Act of 1984, and the Court having treated the guideline sentencing range, as a result of Booker and Fanfan, as advisory, and having applied all the relevant factors of 18 U.S.C. § 3553(a), it is the judgment of the Court that the defendant, George Williams, is hereby committed on Count 1 of the First Superseding Indictment (Redacted) to the custody of the Bureau of Prisons to be imprisoned for a term of life.

In the event the defendant is released from imprisonment, he shall be placed on supervised release for a term of ten years under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the U. S. Probation Office and General Order 318;
2. The defendant shall participate in outpatient substance abuse treatment and submit to drug and alcohol testing, as instructed by the Probation Officer. The defendant shall abstain from using illicit drugs, abusing alcohol, and abusing prescription medications during the period of supervision;
3. During the course of supervision, the Probation Officer, with the agreement of the defendant and defense counsel, may place the defendant in a residential drug treatment program approved by the United States Probation Office for treatment of narcotic addiction or drug dependency, which may include counseling and testing, to determine if the defendant has reverted to the use of

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drugs, and the defendant shall reside in the treatment program until discharged by the Program Director and Probation Officer;

4. As directed by the Probation Officer, the defendant shall pay all or part of the costs for defendant's drug treatment, alcohol treatment, or both to the aftercare contractor during the period of community supervision, pursuant to 18 U.S.C. §3672. The defendant shall provide payment and proof of payment as directed by the Probation Officer; and
5. During the period of community supervision the defendant shall pay the special assessment and restitution in accordance with this judgment's orders pertaining to such payment.
6. The defendant shall cooperate in the collection of a DNA sample from the defendant.

The Court sustains the defendant's objections to Paragraphs 141, 142, 147 and 148 of the Pre-sentence Report and Orders them stricken. The Probation Office is directed to amend the Pre-Sentence Report in conformance with this Judgment and Commitment Order.

On Government's motion, the underlying complaint and/or remaining count(s), ORDERED dismissed.

The Court RECOMMENDS a BOP facility in the Southern California vicinity.

**DEFENDANT INFORMED OF RIGHT TO APPEAL**

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

1/17/06  
Date

*Virginia C. Thuring*  
U.S. District Judge

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Sherri R. Carter, Clerk

By *S. Schubert*  
Deputy Clerk



1103

*Jan. 17, 2006*  
Filed Date

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The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

### **STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE**

While the defendant is on probation or supervised release pursuant to this judgment:

1. The defendant shall not commit another Federal, state or local crime; the defendant shall not leave the judicial district without the written permission of the court or probation officer;
2. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
7. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;
9. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to conform the defendant's compliance with such notification requirement;
14. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours;
15. and, for felony cases only: not possess a firearm, destructive device, or any other dangerous weapon.

- The defendant will also comply with the following special conditions pursuant to General Order 01-05 (set forth below).

### **STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS**

The defendant shall pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15<sup>th</sup>) day after the date of the judgment pursuant to 18 U.S.C. §3612(f)(1). Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed prior to April 24, 1996.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant shall pay the balance as directed by the United States Attorney's Office. 18 U.S.C. §3613.

The defendant shall notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. §3612(b)(1)(F).

The defendant shall notify the Court through the Probation Office, and notify the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. §3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution-pursuant to 18 U.S.C. §3664(k). See also 18 U.S.C. §3572(d)(3) and for probation 18 U.S.C. §3563(a)(7).

Payments shall be applied in the following order:

1. Special assessments pursuant to 18 U.S.C. §3013;
2. Restitution, in this sequence:
  - Private victims (individual and corporate),
  - Providers of compensation to private victims,
  - The United States as victim;
3. Fine;
4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
5. Other penalties and costs.

USA vs. GEORGE WILLIAMSDocket No.: EDCR 03-84 (A) VAP**SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE**

As directed by the Probation Officer, the defendant shall provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant shall not apply for any loan or open any line of credit without prior approval of the Probation Officer.

The defendant shall maintain one personal checking account. All of defendant's income, "monetary gains," or other pecuniary proceeds shall be deposited into this account, which shall be used for payment of all personal expenses. Records of all other bank accounts, including any business accounts, shall be disclosed to the Probation Officer upon request.

The defendant shall not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

**RETURN**

I have executed the within Judgment and Commitment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
 Defendant noted on appeal on \_\_\_\_\_  
 Defendant released on \_\_\_\_\_  
 Mandate issued on \_\_\_\_\_  
 Defendant's appeal determined on \_\_\_\_\_  
 Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
 at \_\_\_\_\_  
 the institution designated by the Bureau of Prisons, with a certified copy of the within Judgment and Commitment.

United States Marshal

By \_\_\_\_\_  
 Date \_\_\_\_\_ Deputy Marshal

**CERTIFICATE**

I hereby attest and certify this date that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

Clerk, U.S. District Court

By \_\_\_\_\_  
 Filed Date \_\_\_\_\_ Deputy Clerk

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**FOR U.S. PROBATION OFFICE USE ONLY**

Upon a finding of violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) \_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

U. S. Probation Officer/Designated Witness

\_\_\_\_\_  
Date